

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DENNIS HOWARD	:	CIVIL ACTION
Petitioner,	:	
	:	
vs.	:	
	:	
DAVID PITKINS, et al.	:	NO. 14-2436
Respondents.	:	

**ORDER**

**AND NOW**, this 15th day of October, 2018, upon careful and independent consideration of the pleadings and available state court records, and after review of the Report and Recommendation of the Honorable David R. Strawbridge, United States Magistrate Judge, and Petitioner's Objections thereto, it is hereby **ORDERED** that:

1. Plaintiff's objections to the Report and Recommendation are **OVERRULED**..
2. The Report and Recommendation is **APPROVED** and **ADOPTED**.
3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that reasonable jurists would debate the correctness of the procedural aspects of this ruling. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
4. The Clerk of Court is directed to mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Robert F. Kelly  
ROBERT F. KELLY, SR. J.